

03 **Fair Hearings - Overview**

REVISION 40
(02/01/16 - 03/31/16)

A Fair Hearing (FH) is a process through which the following may request review of FAA's timeliness or results of the eligibility determination. This is requested by the one of the following:

- The PI
- An authorized representative
- Attorneys representing a hospital that is acting as an authorized representative for a hospitalized participant

NOTE Whenever possible the local office must attempt to resolve the participant's questions or concerns about an eligibility decision prior to the participant submitting a FH request.

The review is completed by a Hearing Officer who conducts the impartial third party review of eligibility determination.

FAA staff must not limit or interfere with the PI's right to request a hearing.

When requested, FAA staff may help the participant to complete the request.

NOTE When the reason for the request is unclear, ask the PI to clarify the reason for the request.

CA EXCEPTION

When the request is regarding a Tribal TANF determination, forward the request directly to the appropriate Tribal TANF Program. Do not refer the fair hearing request to the Fair Hearing Unit.

When a hearing is requested, the PI becomes known as an [appellant\(g\)](#), and is referred to as such throughout this section.

Policy and procedures regarding fair hearings are outlined as follows:

- [Hearing Request Requirements](#)
- [Hearing Request Time Limits](#)
- [Local Office Hearing Request Procedures](#)
- [Fair Hearing Specialist Responsibilities](#)

- [Fair Hearing Request Withdrawals](#)
- [OARC Hearing Request Procedures](#)
- [Office of Appeals Responsibilities](#)
- [Appeals Board Responsibilities](#)
- [Judicial Review](#)

(See [Inform the Participant](#) for information FAA is required to provide participants regarding hearing rights. All [adverse action](#) notices also contain hearing rights and procedures.)

ARCHIVED (Valid until 06/01/18)